

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
	)	
BENEFYTT TECHNOLOGIES, INC., <i>et al.</i> , <sup>1</sup>	)	Case No. 23-90566 (CML)
	)	
Debtors.	)	(Jointly Administered)
	)	

**DEBTORS' AGENDA OF MATTERS SET FOR VIRTUAL  
HEARING ON MAY 23, 2023 AT 2:00 P.M. (PREVAILING CENTRAL TIME)**

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The above-captioned debtors and debtors in possession (collectively, the “Debtors”) file this agenda of matters set for *virtual hearing* on **May 23, 2023 at 2:00 p.m. (prevailing Central Time)**:

**A. Evidentiary Support for First Day Motions:**

1. **First Day Declaration.** Declaration of Michael Devries, Chief Financial Officer of Benefytt Technologies, Inc., in Support of Chapter 11 Petitions and First Day Motions [Docket No. 5].
2. **Morgner Declaration.** Declaration of Richard W. Morgner in Support of the Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 2].
3. **Gallagher (Ankura) Declaration.** Declaration of Roy Gallagher, Senior Managing Director of Ankura Consulting Group, LLC, in Support of (I) the Debtors’ First Day Motions and (II) the Debtors’ Emergency Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Obtain Postpetition

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Benefytt Technologies, Inc. (2634); American Service Insurance Agency LLC (9115); Benefytt Reinsurance Solutions, LLC (4601); BimSym-HPIH, LLC (4626); Dawn Acquisition Company, LLC (0909); Daylight Beta Intermediate Corp. (7248); Daylight Beta Intermediate II Corp. (8842); Daylight Beta Parent Corp. (6788); Health Insurance Innovations Holdings, Inc. (1994); Health Plan Intermediaries Holdings, LLC (0972); Healthinsurance.com, LLC (9525); HealthPocket, Inc. (3710); Insurance Center for Excellence, LLC (4618); RxHelpline, LLC (9940); Sunrise Health Plans, LLC (3872); TogetherHealth Insurance, LLC (9503); TogetherHealth PAP, LLC (8439); and Total Insurance Brokers, LLC (7975). The location of the Debtors’ service address is: 3450 Buschwood Park Drive, Suite 200, Tampa, Florida 33618.

Financing, (B) Authorizing the Debtors to Utilize Cash Collateral, (C) Granting Liens and Superpriority Administrative Expense Claims, (D) Granting Adequate Protection to the Prepetition Secured Parties, (E) Modifying the Automatic Stay, and (F) Granting Related Relief [Docket No. 6].

4. **Betance Declaration.** Declaration of Sheryl Betance in Support of Debtors' Emergency Ex Parte Application for Entry of an Order Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation Agent [Docket No. 21, Exhibit B].
5. **Witness & Exhibit List.** Debtors' Witness and Exhibit List for Hearing Scheduled For May 23, 2023 at 2:00 p.m. (Prevailing Central Time) [Docket No. 31].

**B. First Day Motions:**

1. **Joint Administration Motion.** Debtors' Emergency Motion for Entry of an Order (I) Directing Joint Administration of the Chapter 11 Cases and (II) Granting Related Relief [Docket No. 3].

**Status:** Going Forward.

2. **Motion to File Under Seal.** Debtors' Emergency Motion Seeking Entry of an Order Authorizing the Debtors to File the DIP Agent Fee Letter Under Seal [Docket No. 7].

**Status:** Going Forward.

3. **DIP Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (B) Granting Related Relief [Docket No. 8].

**Status:** Going Forward.

4. **Cash Management Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts, (B) Continue to Perform Intercompany Transactions, and (C) Maintain Existing Business Forms and Books and Records, and (II) Granting Related Relief [Docket No. 10].

**Status:** Going Forward.

5. **Wages Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Docket No. 11].

**Status:** Going Forward.

6. **Customer Programs Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Maintain and Administer their Existing Customer and Partner Programs and (B) Honor Certain Prepetition Obligations Related Thereto, and (II) Granting Related Relief [Docket No. 12].

**Status:** Going Forward.

7. **Vendors Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors, and (II) Granting Related Relief [Docket No. 13].

**Status:** Going Forward.

8. **Insurance and Surety Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Supplement, Amend, Extend, Or Purchase Insurance Policies, (C) Continue to Pay Brokerage Fees, and (D) Maintain the Surety Bonds, and (II) Granting Related Relief [Docket No. 14].

**Status:** Going Forward.

9. **Taxes Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Payment of Certain Taxes and Fees, and (II) Granting Related Relief [Docket No. 15].

**Status:** Going Forward.

10. **Utilities Motion.** Debtors' Emergency Motion for Entry of an Order (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (IV) Granting Related Relief [Docket No. 16].

**Status:** Going Forward.

11. **Creditor Matrix Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Redact Certain Personally Identifiable Information, (II) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Cases and Other Information, and (III) Granting Related Relief [Docket No. 17].

**Status:** Going Forward.

12. **NOL Motion.** Debtors' Emergency Motion for Entry of an Order (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock and Preferred Stock and (II) Granting Related Relief [Docket No. 19].

**Status:** Going Forward.

13. **Stretto Retention Application.** Debtors' Emergency *Ex Parte* Application for Entry of an Order Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation Agent [Docket No. 21].

**Status:** Going Forward.

14. **Claims Bar Date Motion.** Debtors' Emergency Motion for Entry of an Order (I) Establishing the Claims Bar Date, (II) Re-Establishing the Governmental Bar Date, (III) Establishing the Rejection Damages Bar Date and the Amended Schedules Bar Date, (IV) Approving the Form Of and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, and (V) Approving the Notice of Bar Dates [Docket No. 22].

**Status:** Going Forward.

**C. Pleadings Not Going Forward at the First Day Hearing:**

1. **First Omnibus Rejection Motion.** Debtors' First Omnibus Motion for Entry of an Order (I) Authorizing, Effective as of the Petition Date, (A) the Rejection of Certain Executory Contracts and Unexpired Leases and (B) Abandonment of Certain Personal Property and (II) Granting Related Relief [Docket No. 18].

**Status:** The objection deadline is set for June 13, 2023; as set forth in the motion, if no objections are received a hearing may not be held.

2. **Rejection Procedures Motion.** Debtors' Motion for Entry of an Order Authorizing and Approving Procedures to Reject Executory Contracts and Unexpired Leases [Docket No. 20].

**Status:** The objection deadline is set for June 13, 2023; as set forth in the motion, if no objections are received a hearing may not be held.

Houston, Texas  
Dated: May 23, 2023

*/s/ Matthew D. Cavanaugh*

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**JACKSON WALKER LLP**

Matthew D. Cavanaugh (TX Bar No. 24062656)  
Jennifer F. Wertz (TX Bar No. 24072822)  
J. Machir Stull (TX Bar No. 24070697)  
Victoria N. Argeroplos (TX Bar No. 24105799)  
1401 McKinney Street, Suite 1900  
Houston, TX 77010  
Telephone: (713) 752-4200  
Facsimile: (713) 752-4221  
Email: mcavanaugh@jw.com  
jwertz@jw.com  
mstull@jw.com  
vargeroplos@jw.com

*Proposed Co-Counsel to the Debtors*

**KIRKLAND & ELLIS LLP**

**KIRKLAND & ELLIS INTERNATIONAL LLP**

Patrick J. Nash, P.C. (*pro hac vice* pending)  
John R. Luze (*pro hac vice* pending)  
Jeffrey T. Michalik (*pro hac vice* pending)  
Yusuf Salloum (*pro hac vice* pending)  
300 North LaSalle Street  
Chicago, Illinois 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200  
Email: patrick.nash@kirkland.com  
john.luze@kirkland.com  
jeff.michalik@kirkland.com  
yusuf.salloum@kirkland.com

*Proposed Co-Counsel to the Debtors*

**CERTIFICATE OF SERVICE**

I certify that on May 23, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Matthew D. Cavanaugh

Matthew D. Cavanaugh